



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Report No. TEL-01188NS

Monday September 17, 2007

NON STREAMLINED INTERNATIONAL APPLICATIONS ACCEPTED FOR FILING

Section 214 Applications (47 C.F.R. § 63.18); Authorize Switched Services over Private Lines (47 C.F.R. § 63.16) and Section 310(b)(4)

Unless otherwise specified, the following procedures apply to the applications listed below:

The applications listed below have been found, upon initial review, to be acceptable for filing. These applications are not subject to the streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. These applications shall not be deemed granted until the Commission affirmatively acts upon the application, either by public notice or by written order. Operation for which authorization is sought may not commence except in accordance with any terms or conditions imposed by the Commission.

Unless otherwise specified, interested parties may file comments with respect to these applications within 28 days of the date of this public notice. We request that such comments refer to the application file number shown below. No application listed below shall be granted by the Commission earlier than the day after the date specified in this public notice for the filing of comments.

Unless otherwise specified, ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206.

Copies of all applications listed here are available for public inspection in the FCC Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street SW, Washington DC 20554. The center can be contacted at (202) 418-0270. People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty). All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

Petition for Declaratory Ruling

Digicel (USVI), LLC (Digicel or the "Petitioner") requests a declaratory ruling that the indirect foreign ownership of Digicel in excess of the 25 percent benchmark set forth in section 310(b)(4) of the Communications Act of 1934, as amended (the "Act") will not harm the public interest. Digicel filed its petition in connection with its application for consent to assign to Digicel the Personal Communications Service (PCS) license of Elandia Technologies, Inc. WPOJ804 in BTA 491 (U.S. Virgin Islands). See ULS File No. 0003136633.

Digicel and its direct, 100% parent company, Digicel (USVI Holdings) LLC ("Digicel Parent"), are both organized under the laws of the U.S. Virgin Islands. Digicel Parent is wholly owned by Digicel International Finance Limited, which is organized in St. Lucia and is wholly owned by Digicel Holdings (Bermuda) Limited ("Digicel Holdings Bermuda"). Digicel Holdings Bermuda is a direct and indirect wholly-owned subsidiary of Digicel Limited and Digicel Group Limited, respectively. Each of these three companies is organized under the laws of Bermuda. Denis O'Brien, a citizen of Ireland, owns all outstanding shares of Digicel Group Limited. According to the Petitioner, the Digicel group maintains its center of operations in Jamaica, and all officers and directors of each of the foreign-organized holding companies in the hierarchical group structure are nationals of Ireland and the United Kingdom. Thus, Petitioner states, each of the foreign jurisdictions implicated by the Digicel group's ownership and control structure is an independent country or territory that is a Member of the World Trade Organization ("WTO"). It also states that the Digicel group includes 22 operating companies located throughout the Caribbean and Central and South America with all group revenues derived from countries and territories that are WTO Members.

The Petitioner asserts that, pursuant to the rules and policies established by the Commission's Foreign Participation Order, 12 FCC Rcd 23891 (1997), Order on Reconsideration, 15 FCC Rcd 18158 (2000), the public interest would not be harmed by permitting the indirect foreign ownership of Digicel in excess of the 25 percent benchmark in section 310(b)(4) of the Act.

Modification

Cellco Partnership d/b/a Verizon Wireless and its affiliates, GTE Railfone LLC, Verizon Wireless Personal Communications LP, Upstate Cellular Network, and Cal-One LP (collectively "Verizon Wireless and its affiliates") request, pursuant to section 63.13 of the Commission's rules, 47 C.F.R. § 63.13, that the Commission reclassify Verizon Wireless and its affiliates as non-dominant carriers on the U.S.-Gibraltar and U.S.-Venezuela routes.

According to the filing, Verizon Wireless and its affiliates are classified as dominant on the U.S.-Gibraltar route under section 63.10 of the Commission's rules, 47 C.F.R. § 63.10, because they were affiliated with Gibtelecom Limited, a foreign carrier presumed to have market power on the foreign-end of the route, through their parent company Verizon Communications, Inc. (Verizon). Verizon Wireless and its affiliates state that on April 24, 2007 Verizon sold its interests in Gibtelecom Limited to Slovene Telekom, and thus Verizon is no longer affiliated with Gibtelecom Limited. Consequently, Verizon Wireless and its affiliates state that they are no longer affiliated with a foreign carrier on the U.S.-Gibraltar route. Verizon Wireless and its affiliates submit that they therefore are entitled to a presumption of non-dominance in their provision of service on the U.S.-Gibraltar route.

According to the filing, Verizon Wireless and its affiliates are classified as dominant on the U.S.-Venezuela route under section 63.10 because they were affiliated with Compania Anonima Nacional Telefonos de Venezuela (CANTV), a foreign carrier presumed to have market power on the foreign-end of the route, through Verizon. Verizon Wireless and its affiliates state that Verizon sold its interests in CANTV and that on May 1, 2007 the Bolivarian Republic of Venezuela assumed operational control of CANTV, and thus Verizon is no longer affiliated with CANTV. Consequently, Verizon Wireless and its affiliates state that they are no longer affiliated with a foreign carrier on the U.S.-Venezuela route. Verizon Wireless and its affiliates submit that they therefore are entitled to a presumption of non-dominance in their provision of service on the U.S.-Venezuela route.

Interested parties may file comments on or before October 1, 2007, and reply comments on or before October 9, 2007.

Transfer of Control

Current Licensee: BCE Nexxia Voice Services Corporation

FROM: BCE Inc.

TO: 6796508 Canada Inc.

Application for consent to transfer control of international section 214 authorization, ITC-214-19981222-00884, held by BCE Nexxia Voice Services Corporation (BCE Nexxia) from the current shareholders of BCE, Inc. (BCE) to 6796508 Canada Inc. (6796508). 6796508 has entered into an agreement to purchase all of the outstanding shares of BCE. BCE Nexxia is currently an indirect, wholly-owned subsidiary of BCE, and will continue to be a subsidiary of BCE after the transaction.

Teachers Private Capital (TPC), a division of the Ontario Teachers' Pension Plan Board (OTPP), holds a 51.6 % equity interest in 6796508. Providence Equity Partners VI International L.P. holds a 25.99% voting interest and a 22% equity interest in 6796508. Morcague Holdings Corp. (Morcague) holds a 66.67% voting interest. Morcague is a Canadian corporation in which Mr. Morgan McCague, a Canadian citizen, is the sole shareholder, and director, president and secretary. OTPP and Morcague will enter into an agreement which will, among other things, provide for OTPP's designation of 5 of the 13 members of the Board of Directors of 6796508, OTPP's ability to require Morcague to dispose of the shares, and to otherwise direct Morcague on how to vote its shares of 6796508. No other individuals or entities will have a 10% or greater direct or indirect equity or voting interest in BCE.

BCE Nexxia Voice Services Corporation agrees to continue to be classified as a dominant carrier on the U.S.-Canada route pursuant to section 63.10 of the Commission's rules, 47 C.F.R. § 63.10.

Transfer of Control

Current Licensee: Bell Aliant Regional Communications, Limited Partnership

FROM: BCE Inc.

TO: 6796508 Canada Inc.

Application for consent to transfer control of international section 214 authorization, ITC-214-20001102-00665, held by Bell Aliant Regional Communications, Limited Partnership (BARC) from the current shareholders of BCE, Inc. (BCE) to 6796508 Canada Inc. (6796508). 6796508 has entered into an agreement to purchase all of the outstanding shares of BCE. BARC is currently an indirect, wholly-owned subsidiary of BCE, and will continue to be a subsidiary of BCE after the transaction.

Teachers Private Capital (TPC), a division of the Ontario Teachers' Pension Plan Board (OTPP), holds a 51.6 % equity interest in 6796508. Providence Equity Partners VI International L.P. holds a 25.99% voting interest and a 22% equity interest in 6796508. Morcague Holdings Corp. (Morcague) holds a 66.67% voting interest. Morcague is a Canadian corporation in which Mr. Morgan McCague, a Canadian citizen, is the sole shareholder, and director, president and secretary. OTPP and Morcague will enter into an agreement which will, among other things, provide for OTPP's designation of 5 of the 13 members of the Board of Directors of 6796508, OTPP's ability to require Morcague to dispose of the shares, and to otherwise direct Morcague on how to vote its shares of 6796508. No other individuals or entities will have a 10% or greater direct or indirect equity or voting interest in BCE.

Bell Aliant Regional Communications, Limited Partnership agrees to continue to be classified as a dominant carrier on the U.S.-Canada route pursuant to section 63.10 of the Commission's rules, 47 C.F.R. § 63.10.

REMINDER:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 C.F.R. §§ 1.2001–2003.

An updated version of Section 63.09-.25 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>